

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

C/A No.: 3:12-cv-0\_\_\_\_\_

David Ray Tant, )  
)  
Plaintiffs, )  
)  
v. )  
)  
William Frick, Michael Stobbe, David )  
Tatarsky, and John Doe, individually, or )  
alternatively in their capacities as agents of )  
the South Carolina Department of )  
Corrections, the South Carolina Office of the )  
Attorney General, the South Carolina )  
Department of Pardon, Probation, and Parole, )  
and the Fairfield County Solicitor's Office, )  
and therefore, the South Carolina Department )  
of Corrections, the South Carolina Office of )  
the Attorney General, the South Carolina )  
Department of Pardon, Probation, and Parole, )  
and the Fairfield County Solicitor's Office )  
)  
Defendants. )  
\_\_\_\_\_ )

**DEFENDANTS' ANSWERS TO LOCAL  
RULE 26.01 INTERROGATORIES**

NOW COME Defendants Michael Stobbe, David Tatarsky, individually, and the South Carolina Department of Corrections (the "SCDC Defendants"), by and through counsel, and answer the Interrogatories set forth in Local Rule 26.01 of the Federal Rules of Civil Procedure as follows.

**A. State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.**

ANSWER:

None.

**B. As to each claim, state whether it should be tried jury or non-jury and why.**

ANSWER:

Plaintiff has requested that his claims to be tried to a jury, and some issues of liability not resolved prior to trial may be tried to a jury. Plaintiff's claim for civil conspiracy must be adjudicated in certain respects prior to any submission to a jury.

**C. State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company or which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.**

ANSWER:

The SCDC Defendants are, respectively, a state agency and two individuals who are state employees.

**D. State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). See Local Civil Rule 3.01**

ANSWER:

Pursuant to Local Civil Rule 3.01(A)(1), the SCDC Defendants believe that the proper Division for this case is the Columbia Division, as a substantial part of the events giving rise to the claim occurred in Richland County, many of the potential witnesses are in Richland County, and SCDC's headquarters is in Richland County.

**E. Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case**

**number of the related action; (2) an explanation of how matters are related; and (3) a statement of the status of the related action.**

ANSWER:

None known.

**F. [Defendants only.] If the Defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.**

ANSWER:

The SCDC Defendants are properly identified.

**G. [Defendants only.] If you contend that some other person or legal entity is, in whole or in party, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.**

ANSWER:

The SCDC Defendants make no such contention.

Dated this the 18<sup>th</sup> day of October, 2012.

Respectfully submitted,

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s/Eugene H. Matthews  
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**COUNSEL FOR MICHAEL STOBBE, DAVID TATARSKY, AND  
THE SOUTH CAROLINA DEPARTMENT OF CORRECTIONS**